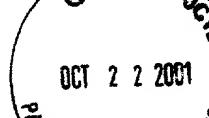


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Ralf Reimelt et al)
Appln. No. : 09/899,502)
Filed : July 6, 2001)
For : APPARATUS FOR DETERMINING)
AND/OR MONITORING THE)
FILLING LEVEL OF A PRODUCT IN)
A CONTAINER)


OCT 22 2001
U.S. PATENT & TRADEMARK OFFICE



PRELIMINARY AMENDMENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Prior to an examination on the merits and pursuant to the provisions of 37 CFR 1.115,
please amend this application as follows:

IN THE CLAIMS:

Please amend claims 3, 4, 7-9 and 11 as follows:

3. (Amended) The apparatus as claimed in claim 1, wherein the waveguide comprises 19 individual wires and is made up of three layers (11, 12, 13).

4. (Amended) The apparatus as claimed in claim 1, wherein the twisting of the individual wires (10) in the individual layers (12, 13) is in opposite directions.

7. (Amended) The apparatus as claimed in claim 5, wherein the flexible intermediate piece (15) is a wire cable or a universal joint.

8. (Amended) The apparatus as claimed in claim 6, wherein the connection (16) between the piece (14) and the flexible intermediate piece (15) is a crimped connection.

9. (Amended) The apparatus as claimed in claim 7, wherein the flexible connection (15) is enclosed by a tubular mesh (17), the mesh (17) terminating essentially flush with the surface of the piece (14).

11. (Amended) The apparatus as claimed in claim 1, wherein a defect which serves as a reference for the linear measurement is provided in at least one predetermined region of the waveguide (5).

REMARKS

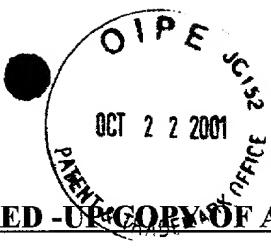
The above amendments to the claims is intended to eliminate the multiple dependency claim fee.

Respectfully submitted,

Felix J. D'Ambrosio
Reg. No. 25,721

October 22, 2001

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MARKED - UP COPY OF AMENDED CLAIMS

3. (Amended) The apparatus as claimed in claim 1 [or 2], wherein the waveguide comprises 19 individual wires and is made up of three layers (11, 12, 13).

4. (Amended) The apparatus as claimed in claim 1 [, 2 or 3], wherein the twisting of the individual wires (10) in the individual layers (12, 13) is in opposite directions.

7. (Amended) The apparatus as claimed in claim 5 [or 6], wherein the flexible intermediate piece (15) is a wire cable or a universal joint.

8. (Amended) The apparatus as claimed in claim 6 [or 7], wherein the connection (16) between the piece (14) and the flexible intermediate piece (15) is a crimped connection.

9. (Amended) The apparatus as claimed in claim 7 [or 8], wherein the flexible connection (15) is enclosed by a tubular mesh (17), the mesh (17) terminating essentially flush with the surface of the piece (14).

11. (Amended) The apparatus as claimed in claim 1 [one or more of the preceding claims], wherein a defect which serves as a reference for the linear measurement is provided in at least one predetermined region of the waveguide (5).